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9 **UNITED STATES DISTRICT COURT**
10 **SOUTHERN DISTRICT OF CALIFORNIA**

11 MEDIFAST, INC., a Delaware
12 corporation, and BRADLEY
MACDONALD, an individual,

13 Plaintiffs,

14 vs.

15 BARRY MINKOW, FRAUD
DISCOVERY INSTITUTE, INC.,
16 ROBERT L. FITZPATRICK, TRACY
COENEN, SEQUENCE, INC.,
17 WILLIAM LOBDELL, IBUSINESS
REPORTING, ZEEYOURSELF,

18 Defendants.


CASE NO. 10-cv-382-CAB (MDD)
ORDER

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20 Counsel for plaintiffs and for defendants Barry Minkow, Fraud Discovery
21 Institute, Inc., Robert L. FitzPatrick, William Lobdell, and iBusiness Reporting
22 telephoned the court's chambers today. In light of counsel's representations regarding
23 the status of settlement discussions, the court **VACATES** all deadlines relating to the
24 Second anti-SLAPP motion, including the February 6, 2015 filing deadline. [Doc. No.
25 251.] In addition, the court **DEEMS WITHDRAWN** the motions at docket numbers
26 223, 224, and 225, without prejudice to refileing should the settlement discussions
27 ultimately prove unfruitful. The motion for fees filed by Tracy Coenen and Sequence,
28 Inc. remains pending and under submission.

1 Finally, the court **SCHEDULES** a telephonic status conference for **Friday,**
2 **March 6, 2015, at 2:00 p.m.** Counsel shall conference-call the court's chambers at
3 (619) 557-7688.

4 **IT IS SO ORDERED.**

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6 DATED: February 5, 2015

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9 **CATHY ANN BENCIVENGO**
10 United States District Judge
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